IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION LODGING NO. 667 OF 2006

Ahmed Rahim Vanoo & Ors...Petitioners

Vs.

State of Maharashtra & Ors..Respondents

Mr. M.P. Vashi and Ms. B. D'Souza for the Petitioners

Mr. R.M. Sawant, Government Pleader for Respondents.

CORAM : F.I. REBELLO &
ANOOP V. MOHTA, JJ.
DATED : MARCH 20, 2006

P.C.

. From the averments in the petition, it appears that the Petitioners apprehend some law and order problems. The reliefs sought for are to issue directions not to take out Moharam procession on 21.3.2006 with weapons and also to prevent the members of the Shia Section of the Muslim Community from performing matam on public roads.

. These are the issues which the writ court perhaps cannot enter into as it also involves law and order which the Executive must deal with. Considering that respondent No. 2 to initiate

steps to solve the issue by asking local police station to call the representatives of both the Sections and work out modalities to ensure that there is peace and order. With the above observations, Petition stands disposed of.

. It will be open to the Petitioners, if they are so advised to present a fresh petition that the practices at the Moharam procession are not supported by any religious belief. The disposal of this petition will not stand in way of the pensioner filing a fresh petition in respect of the said practices and stopping the same if they be violative of any right under Part III or States duty under Part IV of the Constitution.

. Private Secretary of this Court to issue authenticated copy of this order to the parties. All authorities to act on the authenticated copy of this order duly authenticated by the Private Secretary of this Court.

(F.I. REBELLO,J.)

(ANOOP V. MOHTA,J.)